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1949.

File No. Prize Competition II/49 (R)

Legal **DEPARTMENT**

B. **BRANCH**

K S K 11/6 **Subject:—** P 2 F

Rules under the Bombay Lotteries and Prize-competition Control and tax Act; 1948

File No. Prize - Competition II/49 (R)

Std. Sectt. Slip 24 B e.

304-B

A draft notification embodying the revised draft rules is sent herewith.

2. Rule 5 of the H.D. draft provides inter alia for the levy of fees for the licences under the Act. The provision in clause (iii) that one licence may be granted for one year ending 31st March for a series of prize competitions can not be appropriately inserted in that rule and has been deleted . Licence Form F which provides for giving licences for prize competition or competitions specified in the licence will achieve the object in view.

3. Rule 10 of the H.D. draft requires that the Licensing Officer or any Officer appointed by him shall be a member of the Committee appointed to judge and declare the result of each prize competition and an honorarium of Rs. 10/- shall be paid by the licensee for each attendance. Presumably the intention is to require a licensee to appoint a Committee for scrutinizing the results of prize competitions. If so, such requirement can be more appropriately inserted as one of the conditions of the license to be granted for the promotion of a prize competition. Accordingly Rule 10 of the H.D. draft rules has been omitted and the necessary condition inserted in the draft licence. As regards the payment of an honorarium to the licensing Officer it will not be legally feasible to insert such a condition either in the Rules or the license.

4. Condition 1 of Form D repeats the provision of section 5(2) ; and condition 2 of rule 11 of the H.D. draft. Since the licence is sought to be granted subject to the provisions of the Act and the rules thereunder, it is not n

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the rules thereunder, it is not necessary to repeat the said provisions. Conditions 1 and 2 have therefore been deleted from the revised draft. Similar conditions have also been deleted from the other licence forms. As regards Forms E(1) and E(2) except for conditions 1 and 2, there is no difference in the other conditions. Since the first two conditions are not for the reasons stated above necessary there is no reason why there should be two seperate forms of licences E(1) and E(2) in respect of private lotteries. Form E(2) has therefore been deleted from the revised draft.

J.R.D
Ed./ 14-3
Additional Secretary to Government.

U.R. to H.D. NO. 2937 , dated the 14th March 1949.

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